

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,
Plaintiff,

vs.

BRIAN J. BAEZ-SOTO,
Defendant.

CRIMINAL NUMBER: 17-626 (DRD)

**UNOPPOSED MOTION TO CONSOLIDATE WITH
REVOCATION PROCEEDINGS IN 13-700 (ADC)**

TO THE HONORABLE DANIEL R. DOMÍNGUEZ
UNITED STATES DISTRICT COURT JUDGE
FOR THE DISTRICT OF PUERTO RICO

Mr. Brian Baez-Soto (“Mr. Baez”), represented by the Federal Public Defender for the District of Puerto Rico, through the undersigned attorney, respectfully states and requests as follows:

1. Mr. Baez is serving a term of supervised release of three years in criminal case no. 13-700 (ADC). On February 10, 2017, United States Probation Officer Norman Rosario (“USPO Rosario”) filed a motion requesting a show cause hearing and that an arrest warrant be issued as to Mr. Baez. D.E. # 49. USPO Rosario filed a subsequent informative motion. D.E. # 55. USPO Rosario alleged that Mr. Baez violated the conditions of his supervised release by (1) testing positive to marijuana, failing to call Random Drug Testing and report to same, and failure to attend outpatient treatment (2) failing to report a change in address, and (3) subsequently incurring new criminal conduct, which is currently pending before this Court.

2. As to the revocation proceedings, on January 22, 2018, Mr. Baez waived his right to a preliminary revocation hearing before Magistrate Judge Marcos E. López, as to the violations in D.E. # 49, and on January 24, 2018, he waived his right to a preliminary hearing as to violations in D.E. # 55. *See* Criminal Case No. 13-700 (ADC) D.E. ## 61, 63.

3. On May 17, 2018, Mr. Baez pleaded guilty in the present criminal case no. 17-626 (DRD), before Magistrate Judge Vélez. A sentencing hearing is set for September 14, 2018. *See* D.E. ## 23, 24.

4. In consideration of judicial economy, and subject to the consent of each district court judge (a motion for consolidation will also be filed with Judge Delgado), Mr. Baez respectfully requests the consolidation of the revocation with the new criminal case before this Honorable Court.

5. Prior to filing this motion, the parties discussed the possibility of consolidating both cases. AUSA Max Pérez expressed having no objection to the consolidation of the revocation into the present case.

WHEREFORE, it is respectfully requested that the Court note the present information, and consolidate Mr. Baez's revocation proceedings from 13-700 (ADC) with the present case.

I HEREBY CERTIFY that on this date, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the parties of record.

Respectfully submitted.

In San Juan, Puerto Rico, this 17th day of May, 2018.

ERIC ALEXANDER VOS
Chief Defender
District of Puerto Rico

S/Jessica E. Earl

Jessica E. Earl

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